

REMARKS/ARGUMENTS

Applicant respectfully requests reconsideration and allowance of the subject application.

Claims 1-48 were originally submitted.

No claims are canceled.

No claims are added.

Claims 1, 4, 13, 24, 28, 41, 45, and 47 are currently amended.

Claims 1-48 remain in this application.

Drawings

The drawings are objected to because Fig. 3 uses the number "320" to designate two steps. The Action states that "The 'Establish/Create Comm. Channel with Server Computer' step should be labeled --325--, as shown in the specification on page 12, line 18."

A corrected drawing sheet with Fig. 3 is provided with this response in compliance with 37 CFR 1.121(d). Accordingly, Applicant respectfully requests that the drawing objection be withdrawn.

Claim Objections

The Action states that claims 4, 24 and 41 are objected to because of the following informalities:

In claim 4, line 2 of the claim, after "comprises", insert --receiving--.

In claim 24, lines 4 and 5 of the claim, "the remote test tool" lacks antecedent basis.

In claim 41, line 1 of the claim, delete "test", and insert --tests--.

1 Claims 4, 24, and 41 are amended. Accordingly, Applicant respectfully
2 requests that the claim objections be withdrawn.

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4 **35 U.S.C. §102**

5 Claims 32, 34, 37 and 38 are rejected under 35 U.S.C. §102(b) as being
6 anticipated by U.S. Patent Application Publication 2001/0012986 to Conan et al
7 (Conan). Applicant respectfully traverses the rejection of the claims.

8 Conan teaches a client process component that is executed on target or
9 client computer systems that include a listener process for accepting test execution
10 script data from a server. The client computer systems include a test execution
11 process for carrying out the testing specified by test execution script data provided
12 by the listener process. A test report may be generated and communicated to the
13 server. (Conan, paragraph 8). The client process is illustrated as client process 52
14 in Fig. 2 and represents one of the processes which may potentially run client or
15 target machines 14, 15, 16 of FIG. 1. (Conan, paragraph 24).

16 Testing carried out by the system of the preferred embodiment is defined by
17 information provided by a user or tester through a test request. Test invocation and
18 execution are driven by a system server which may monitor the progress of the
19 testing. This system provides a centralized management system for the tester while
20 providing for actual test execution to be performed on client or target machines.
21 The target machines are each initialized to permit desired test tools to be run. At
22 the end of test execution, the target machines (i.e., clients) through client processes
23 generate common format test reports that are sent to the server. (Conan, paragraph
24 27).

1 **Independent claim 32**, for example, recites “[a] computer comprising:

2 a memory;

3 a processor coupled to the memory; and

4 instructions stored in the memory and executable on the processor to
5 access a test tool resident on a server computer, and perform testing using
6 the test tool through a communication channel.”

7 Conan fails to teach or disclose the computer of claim 32. Claim 32 recites
8 a computer, such as a client or target machine, which accesses “a test tool resident
9 on a server computer, and perform testing using the test tool through a
10 communication channel”. The Action argues that this is taught in Conan, citing
11 the client process with the listener process and test script file and test execution
12 process (Figs. 2, 3, pars 33-45 of Conan). As discussed above, Conan teaches that
13 the client process is resident and ran on the target or client machines. Although,
14 the server provides a test script or test execution script, to the target or client
15 machines, the test script is ran on the target or client machines, not the server
16 computer. Conan particularly provides that that the client machines provide for
17 actual test execution independent of the server. Test reports are sent to the server
18 only at the end of the testing at the target machines. Although Conan teaches
19 sockets to permit interaction between the server and client processes, whatever
20 communication is provided is directed to providing test data or information (e.g.,
21 test script, test results) between the target machines and the server. In other words,
22 Conan fails to teach or disclose a communication channel to perform testing using
23 a test tool resident on the server as recited in claim 32.

1 Accordingly, Conan does not show every element of claim 32, and the
2 rejection of claim 32 is therefore improper. Applicant respectfully requests that
3 the §102 rejection of claim 32 be withdrawn.

4 **Dependent claim 34** depends from and comprises all the elements of claim
5 32. As such, dependent claim 34 is allowable at the least by virtue of its
6 dependency on base claim 32. Dependent claim 34 further recites “wherein the
7 communication channel is a virtual channel”. The Action argues that this element
8 is taught by the sockets described in Conan; however, there is no teaching or
9 showing in Conan that the sockets create or provide a virtual channel. Applicant
10 respectfully requests that the §102 rejection of claim 34 be withdrawn.

11 **Independent claim 37** is rejected based on similar reasons as claim 32.
12 Applicant asserts the arguments presented in support of claim 32, in support of
13 claim 37. Applicant respectfully requests that the §102 rejection of claim 37 be
14 withdrawn.

15 **Dependent claim 38** depends from and comprises all the elements of claim
16 37. As such, dependent claim 38 is allowable at the least by virtue of its
17 dependency on base claim 37. Furthermore, claim 38 is rejected based on similar
18 reasons as claim 34. Applicant asserts the arguments presented in support of claim
19 34, in support of claim 38. Applicant respectfully requests that the §102 rejection
20 of claim 38 be withdrawn.
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1 **35 U.S.C. §103**

2 Claims 1-3, 6-8, 12-15, 19, 20, 23, 33, 40, 47 and 48 are rejected under 35
3 U.S.C. §103(a) as being unpatentable over Conan in view of U.S. Patent
4 Application Publication 2003/0098879 to Mathews (Mathews). Applicant
5 respectfully traverses the rejection of the claims.

6 **Independent claim 1** recites “[a] method comprising:

7 establishing a session with a server computer;

8 receiving a set of instructions and data directed to providing graphics
9 testing from the server computer, based on performing a test tool resident at
10 the server computer;

11 creating a virtual channel to the server computer; and

12 transferring graphics testing information through the virtual
13 channel.”

14 Claim 1 has been amended and recites in part “receiving a set of
15 instructions and data directed to providing graphics testing from the server
16 computer, based on performing a test tool resident at the server computer”. As
17 discussed above, Conan teaches that the test execution script is performed by a
18 client process at a target or client machine. There is no teaching or suggestion in
19 Conan as performing a test tool that is resident at a server computer as recited in
20 claim 1. Furthermore, the Action argues that the sockets taught in Conan teach the
21 virtual channel recited in claim 1; however, there is no teaching or suggestion that
22 the sockets provide such a virtual channel.

23 The Action admits that Conan does “not teach graphics testing, as shown in
24 claim 1” and looks to Mathews. In particular, the Action argues that “Mathews
25 teaches distributed graphical user interface (GUI) testing (Abstract, pars. 14-16)”.

1 However, since Conan fails to teach or suggest the elements argued by the Action,
2 Mathews provides no assistance in light of Conan as to the recited method of claim
3 1.

4 In view of the above, Conan in view of Mathews does not teach or suggest
5 each and every element of claim 1. Thus, claim 1 is not obvious over the cited
6 combination. Applicant respectfully requests that the §103 rejection of claim 1 be
7 withdrawn.

8 **Dependent claims 2-3, 6-8, and 12** depend from and comprise all the
9 elements of claim 1. As such, dependent claims 2-3, 6-8, and 12 are allowable at
10 the least by virtue of their dependency on base claim 1. Applicant respectfully
11 requests that the §103 rejection of claims 2-3, 6-8, and 12 be withdrawn.

12 **Independent claim 13** recites “[a] method comprising:

13 establishing a session with a remote client computer;

14 storing a set of instructions and data directed to graphics testing
15 applicable to the remote client computer in a registry, wherein the graphics
16 testing is performed by a resident test tool;

17 sending the set of instructions and data directed to graphics testing to
18 the remote client computer; and

19 creating a virtual channel with the remote client computer through
20 which information related to the graphics testing is transferred.

21 Claim 13 has been amended and recites “storing a set of instructions and
22 data directed to graphics testing applicable to the remote client computer in a
23 registry, wherein the graphics testing is performed by a resident test tool”. As
24 discussed above, the testing performed in Conan is through client processes
25 running text execution script at target machines, not through a test program

1 resident at a server. Furthermore, as discussed above sockets taught by Conan do
2 not teach or suggest a virtual channel. In addition, since Conan fails to teach or
3 suggest the elements argued by the Action, Mathews provides no assistance in
4 light of Conan as to the recited method of claim 13.

5 In view of the above, Conan in view of Mathews does not teach or suggest
6 each and every element of claim 13. Thus, claim 13 is not obvious over the cited
7 combination. Applicant respectfully requests that the §103 rejection of claim 13
8 be withdrawn.

9 **Dependent claims 14-15, 19, 20, and 23** depend from and comprises all
10 the elements of claim 13. As such, dependent claims 14-15, 19, 20, and 23 are
11 allowable at the least by virtue of their dependency on base claim 13. Applicant
12 respectfully requests that the §103 rejection of claims 14-15, 19, 20, and 23 be
13 withdrawn.

14 **Dependent claim 33** depends from and comprises all the elements of claim
15 32. In particular, claim 33 includes the element of “instructions stored in the
16 memory and executable on the processor to access a test tool resident on a server
17 computer, and perform testing using the test tool through a communication
18 channel”. As discussed above, Conan fails to teach or suggest performing testing
19 using a resident test tool at a server. Mathews is relied on in the Action as
20 teaching “distributed graphical user interface (GUI) testing”; however, Mathews
21 provides no assistance in light of Conan as to the recited computer of claim 33.
22 Applicant respectfully requests that the §103 rejection of claim 33 be withdrawn.

23 **Dependent claim 40** depends from and comprises all the elements of claim
24 37. In particular, claim 40 includes the element of “a memory to store instructions
25 executable on the processor to access a remote client computer; and transmit

1 testing information from a resident test tool through a communication channel”.
2 As discussed above, Conan fails to teach or suggest performing testing using a
3 resident test tool at a server. Mathews is relied on in the Action as teaching
4 “distributed graphical user interface (GUI) testing”; however, Mathews provides
5 no assistance in light of Conan as to the recited computer of claim 40. Applicant
6 respectfully requests that the §103 rejection of claim 40 be withdrawn.

7 **Independent claim 47** recites “[a] system comprising:

8 one or more remote client computers; and

9 a server computer configured to identify software modules resident
10 on the server computer used to provide graphical tests through a
11 communication channel directed to particular remote client computers,
12 wherein the software modules are used to provide the graphical tests.

13 Claim 47 has been amended and recites “a server computer configured to
14 identify software modules resident on the server computer used to provide
15 graphical tests through a communication channel directed to particular remote
16 client computers, wherein the software modules are used to provide the graphical
17 tests”. As discussed above, the testing performed in Conan is through client
18 processes running text execution script at target machines, not through software
19 modules resident at a server. Since Conan fails to teach or suggest the elements
20 argued by the Action, Mathews provides no assistance in light of Conan as to the
21 recited system of claim 47. Applicant respectfully requests that the §103 rejection
22 of claim 47 be withdrawn.

23 **Dependent claim 48** depends from and comprises all the elements of claim
24 47. As such, dependent claim 48 is allowable at the least by virtue of its
25 dependency on base claim 47. Dependent claim 34 further recites “wherein the

1 communication channel is a virtual channel”. The Action argues that this element
2 is taught by the sockets described in Conan; however, there is no teaching or
3 showing in Conan that the sockets create or provide a virtual channel. Applicant
4 respectfully requests that the §103 rejection of claim 48 be withdrawn.

5
6 Claims 4, 5, 16 and 17 are rejected under 35 U.S.C. §103(a) as being
7 unpatentable over Conan in view of Mathews as applied to claims 1 and 13 above,
8 and further in view of U.S. Patent No. 5,896,494 to Perugini et al (Perugini).
9 Applicant respectfully traverses the rejection of the claims.

10 **Dependent claims 4 and 5** depend from and comprise all the elements of
11 claim 1. As such, dependent claims 4 and 5 are allowable at the least by virtue of
12 their dependency on base claim 1. The Action admits that Conan and Mathews
13 “do not teach that the instructions comprise a dynamic link library (DLL)” and
14 looks to Perugini. However, since Conan and Mathews fail to teach or suggest the
15 elements argued by the Action, Perugini provides no assistance in light of Conan
16 and Mathews as to the recited methods of claims 4 and 5. Applicant respectfully
17 requests that the §103 rejection of claims 4 and 5 be withdrawn.

18 **Dependent claims 16 and 17** depend from and comprise all the elements of
19 claim 13. As such, dependent claims 16 and 17 are allowable at the least by virtue
20 of their dependency on base claim 13.

21 The Action admits that Conan and Mathews “do not teach that the
22 instructions comprise a dynamic link library (DLL)” and looks to Perugini.
23 However, since Conan and Mathews fail to teach or suggest the elements argued
24 by the Action, Perugini provides no assistance in light of Conan and Mathews as to
25

1 the recited methods of claims 16 and 17. Applicant respectfully requests that the
2 §103 rejection of claims 16 and 17 be withdrawn.
3

4 Claims 9 and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable
5 over Conan, in view of Mathews as applied to claims 1 and 13 above, and further
6 in view of U.S. Patent No. 5,978,575 to Packer (Packer). Applicant respectfully
7 traverses the rejection of the claims.

8 **Dependent claim 9** depends from and comprises all the elements of claim
9 1. As such, dependent claim 9 is allowable at the least by virtue of its dependency
10 on base claim 1. The Action admits that Conan and Mathews “do not teach timing
11 each of the tests and storing the time” and looks to Packer. However, since Conan
12 and Mathews fail to teach or suggest the elements argued by the Action, Packer
13 provides no assistance in light of Conan and Mathews as to the recited method of
14 claim 9. Applicant respectfully requests that the §103 rejection of claim 9 be
15 withdrawn.

16 **Dependent claim 21** depends from and comprises all the elements of claim
17 13. As such, dependent claim 21 is allowable at the least by virtue of its
18 dependency on base claim 13. The Action admits that Conan and Mathews “do
19 not teach timing how long information related to graphics testing is sent” and
20 looks to Packer. However, since Conan and Mathews fail to teach or suggest the
21 elements argued by the Action, Packer provides no assistance in light of Conan
22 and Mathews as to the recited method of claim 21. Applicant respectfully requests
23 that the §103 rejection of claim 21 be withdrawn.
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1 Claims 10, 11, and 22 are rejected under 35 U.S.C. §103(a) as being
2 unpatentable over Conan et al. in view of Mathews as applied to claims 1 and 13
3 above, and further in view of U.S. Patent No. 6,526,371 to Klein et al (Klein).
4 Applicant respectfully traverses the rejection of the claims.

5 **Dependent claims 10 and 11** depend from and comprise all the elements of
6 claim 1. As such, dependent claims 10 and 11 are allowable at the least by virtue
7 of their dependency on base claim 1. The Action admits that Conan and Mathews
8 “do not teach do not teach timing the establishing of a session ... or timing the
9 logging off.” However, since Conan and Mathews fail to teach or suggest the
10 elements argued by the Action, Klein provides no assistance in light of Conan and
11 Mathews as to the recited methods of claims 10 and 11. Applicant respectfully
12 requests that the §103 rejection of claims 10 and 11 be withdrawn.

13 **Dependent claim 22** depends from and comprises all the elements of claim
14 13. As such, dependent claim 22 is allowable at the least by virtue of its
15 dependency on base claim 13. The Action admits that Conan and Mathews “do
16 not teach do not teach timing the establishing of a session”. However, since Conan
17 and Mathews fail to teach or suggest the elements argued by the Action, Klein
18 provides no assistance in light of Conan and Mathews as to the recited method of
19 claim 22. Applicant respectfully requests that the §103 rejection of claim 22 be
20 withdrawn.

1 Claim 18 is rejected under 35 U.S.C. §103(a) as being unpatentable over
2 Conan, in view of Mathews and Perugini as applied to claim 17 above, and further
3 in view of Packer. Applicant respectfully traverses the rejection of the claims.

4 **Dependent claim 18** depends from and comprises all the elements of claim
5 17. As such, dependent claim 18 is allowable at the least by virtue of its
6 dependency on base claim 17. The Action admits that Conan, Mathews, and
7 Perugini “do not teach timing each of the tests”. However, since Conan, Mathews,
8 and Perugini fail to teach or suggest the elements argued by the Action, Packer
9 provides no assistance in light of Conan, Mathews, and Perugini as to the recited
10 method of claim 18. Applicant respectfully requests that the §103 rejection of
11 claim 18 be withdrawn.

12
13 Claim 24 is rejected under 35 U.S.C. §103(a) as being unpatentable over
14 Mathews in view of Packer. Applicant respectfully traverses the rejection of the
15 claims.

16 **Independent claim 24** recites “[a] computer comprising:

17 means for performing graphics tests from a remote test tool resident
18 on a server computer;

19 means for facilitating receipt of the graphics tests on the computer by
20 the remote test tool; and

21 means for timing the graphics tests as received from the server
22 computer.”

23 Matthews teaches distributed GUI testing executed by multiple distributed
24 test execution computers. For each test execution computer, a request for a test
25 instance is received from a particular test execution computer in response to

1 completion of a preceding test by the particular test execution computer. (Abstract
2 of Mathews). Fig 3, step 116 of Mathews particularly teaches that the client
3 system 32 executing the test instance and reporting the result of the test instance to
4 the server. (Mathews, paragraph 33).

5 Claim 24 has been amended to recite in part “means for performing
6 graphics tests from a remote test tool resident on a server computer”. As
7 discussed, Mathews through performs testing through a client system resident test
8 instance, and reporting the test results back to the server. In other words, all the
9 testing is performed at the client systems, not through a resident application at the
10 server. The Action admits that “Mathews does not teach means for timing the
11 graphics tests” and looks to Packer for teaching “timing the execution of a test”.
12 However, since Mathews fails to teach or suggest the elements argued by the
13 Action, Packer provides no assistance in light of Mathews as to the recited
14 computer of claim 24. Applicant respectfully requests that the §103 rejection of
15 claim 24 be withdrawn.

16
17 Claim 25 is rejected under 35 U.S.C. §103(a) as being unpatentable over
18 Mathews in view of Packer as applied to claim 24 above, and further in view of
19 Perugini. Applicant respectfully traverses the rejection of the claims.

20 **Dependent claim 25** depends from and comprises all the elements of claim
21 24. As such, dependent claim 25 is allowable at the least by virtue of its
22 dependency on base claim 24. The Action admits that “Mathews and Packer do
23 not teach a dynamic link library” and looks to Perugini as teaching “diagnostic
24 modules that are DLLs”. However, since Mathews and Packer fail to teach or
25 suggest the elements argued by the Action, Perugini provides no assistance in light

1 of Mathews and Packer as to the recited computer of claim 25. Applicant
2 respectfully requests that the §103 rejection of claim 25 be withdrawn.

3
4 Claims 26 and 27 rejected under 35 U.S.C. §103(a) as being unpatentable
5 over Mathews in view of Packer as applied to claim 24 above, and further in view
6 of Conan. Applicant respectfully traverses the rejection of the claims.

7 **Dependent claims 26 and 27** depend from and comprise all the elements of
8 claim 24. As such, dependent claims 26 and 27 are allowable at the least by virtue
9 of their dependency on base claim 24. The Action admits that “Mathews and
10 Packer do not teach establishing a virtual channel through a wide area network or
11 the Internet” and looks to Conan. However, since Mathews and Packer fail to
12 teach or suggest the elements argued by the Action, Conan provides no assistance
13 in light of Mathews and Packer as to the recited computers of claims 26 and 27.
14 Applicant respectfully requests that the §103 rejection of claims 26 and 27 be
15 withdrawn.

16
17 Claims 28, 30, 31, 36 and 41-44 are rejected under 35 U.S.C. §103(a) as
18 being unpatentable over Conan et al. in view of Packer. Applicant respectfully
19 traverses the rejection of the claims.

20 **Independent claim 28** recites “[a] server computer comprising:

21 means for accessing a remote client computer;

22 means for storing instructions and data used by a test tool resident at
23 the server computer to provide testing to the remote client computer;

24 means for identifying particular instructions and data used for the
25 remote client computer;

1 means for setting up a virtual channel between the server computer ;
2 and
3 means for timing the tests performed by the test tool through the
4 virtual channel.”

5 Claim 28 has been amended and recites “means for storing instructions and
6 data used by a test tool resident at the server computer to provide testing to the
7 remote client computer”. As discussed above, the testing performed in Conan is
8 through client processes running text execution script at target machines, not
9 through software modules resident at a server. Since Conan fails to teach or
10 suggest the elements argued by the Action, Packer provides no assistance in light
11 of Conan as to the recited server computer of claim 28. Applicant respectfully
12 requests that the §103 rejection of claim 28 be withdrawn.

13 **Dependent claims 30 and 31** depend from and comprise all the elements of
14 claim 28. As such, dependent claims 30 and 31 are allowable at the least by virtue
15 of their dependency on base claim 28. Applicant respectfully requests that the
16 §103 rejection of claims 30 and 31 be withdrawn.

17 **Dependent claim 36** depends from and comprises all the elements of claim
18 32. In particular, claim 36 includes the element of “instructions stored in the
19 memory and executable on the processor to access a test tool resident on a server
20 computer, and perform testing using the test tool through a communication
21 channel”. As discussed above, Conan fails to teach or suggest performing testing
22 using a resident test tool at a server. Packer is relied on in the Action as teaching
23 “timing the execution of a test”; however, Packer provides no assistance in light of
24 Conan as to the recited computer of claim 36. Applicant respectfully requests that
25 the §103 rejection of claim 36 be withdrawn.

1 **Dependent claim 41** depends from and comprises all the elements of claim
2 37. In particular, claim 41 includes the element of “a memory to store instructions
3 executable on the processor to access a remote client computer; and transmit
4 testing information from a resident test tool through a communication channel”.
5 As discussed above, Conan fails to teach or suggest performing testing using a
6 resident test tool at a server. Packer is relied on in the Action as teaching “timing
7 the execution of a test”; however, Packer provides no assistance in light of Conan
8 as to the recited computer of claim 41. Applicant respectfully requests that the
9 §103 rejection of claim 41 be withdrawn.

10 **Independent claim 42** recites “[a] computer-readable medium having
11 computer-executable instructions for performing steps comprising:

12 contacting a server computer to send instructions and data used to
13 access a test tool in the server computer;

14 setting up a virtual channel in which testing is performed by the test
15 tool; and

16 determining the beginning and ending of individual tests represented
17 by the testing information.”

18 Claim 42 has been amended and recites “setting up a virtual channel in
19 which testing is performed by the test tool”. As discussed above, the testing
20 performed in Conan is through client processes running text execution script at
21 target machines, not through software modules resident at a server. Furthermore,
22 as discussed, Conan the sockets taught by Conan fails to teach or suggest a virtual
23 channel. Since Conan fails to teach or suggest the elements argued by the Action,
24 Packer provides no assistance in light of Conan as to the recited computer-readable
25

1 medium of claim 42. Applicant respectfully requests that the §103 rejection of
2 claim 42 be withdrawn.

3
4 Claim 29 is rejected under 35 U.S.C. §103(a) as being unpatentable over
5 Conan in view of Packer as applied to claim 28 above, and further in view of
6 Perugini. Applicant respectfully traverses the rejection of the claims.

7 **Dependent claim 29** depends from and comprises all the elements of claim
8 28. As such, dependent claim 29 is allowable at the least by virtue of its
9 dependency on base claim 28. The Action admits that “Conan and Packer do not
10 teach a dynamic link library” and looks to Perugini. However, since Conan and
11 Packer fail to teach or suggest the elements argued by the Action, Perugini
12 provides no assistance in light of Conan and Packer as to the recited server
13 computer of claim 29. Applicant respectfully requests that the §103 rejection of
14 claim 29 be withdrawn.

15
16 Claims 35 and 39 are rejected under 35 U.S.C. §103(a) as being
17 unpatentable over Conan in view of Perugini. Applicant respectfully traverses the
18 rejection of the claims.

19 **Dependent claim 35** depends from and comprises all the elements of claim
20 32. In particular, claim 35 includes the element of “instructions stored in the
21 memory and executable on the processor to access a test tool resident on a server
22 computer, and perform testing using the test tool through a communication
23 channel”. As discussed above, Conan fails to teach or suggest performing testing
24 using a resident test tool at a server. Perugini is relied on in the Action as teaching
25 “diagnostic modules that are DLLs”; however, Perugini provides no assistance in

1 light of Conan as to the recited computer of claim 35. Applicant respectfully
2 requests that the §103 rejection of claim 35 be withdrawn.

3 **Dependent claim 41** depends from and comprises all the elements of claim
4 37. In particular, claim 41 includes the element of “a memory to store instructions
5 executable on the processor to access a remote client computer; and transmit
6 testing information from a resident test tool through a communication channel”.
7 As discussed above, Conan fails to teach or suggest performing testing using a
8 resident test tool at a server. Perugini is relied on in the Action as teaching
9 “diagnostic modules that are DLLs”; however, Perugini provides no assistance in
10 light of Conan as to the recited computer of claim 41. Applicant respectfully
11 requests that the §103 rejection of claim 41 be withdrawn.
12

13 Claims 45 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable
14 over Conan in view of Mathews and Perugini. Applicant respectfully traverses the
15 rejection of the claims.

16 **Independent claim 45** recites “[a] computing device comprising:

17 a processor configured to initiate a session with a remote client
18 computing device;

19 a memory module configured to store a dynamic link library in a
20 register, wherein the dynamic link library is directed to send information
21 and perform testing regarding a resident graphics test to a remote computer;

22 an interface to send the dynamic link library to the remote client
23 computing device through a network.

24 Claim 45 has been amended and recites “a memory module configured to
25 store a dynamic link library in a register, wherein the dynamic link library is

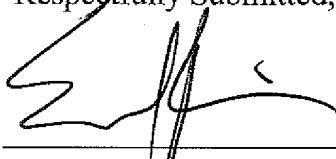
1 directed to send information and perform testing regarding a resident graphics test
2 to a remote computer”. As discussed above, the testing performed in Conan is
3 through client processes running text execution script at target machines, not
4 through software modules resident at a server. Since Conan fails to teach or
5 suggest the elements argued by the Action, Mathews and Perugini provide no
6 assistance in light of Conan as to the recited computing device of claim 45.
7 Applicant respectfully requests that the §103 rejection of claim 45 be withdrawn.

8 **Dependent claim 46** depends from and comprises all the elements of claim
9 45. As such, dependent claim 45 is allowable at the least by virtue of its
10 dependency on base claim 45. Applicant respectfully requests that the §103
11 rejection of claim 46 be withdrawn.

1 **CONCLUSION**

2 All pending claims 1-48 are in condition for allowance. Applicant
3 respectfully requests reconsideration and prompt issuance of the subject
4 application. If any issues remain that prevent issuance of this application, the
5 Examiner is urged to contact the undersigned attorney before issuing a subsequent
6 Action.

7
8
9 Dated: 2/21/06

Respectfully Submitted,
10 
11 By: _____
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